

STATE OF CONNECTICUT  
BOARD OF EXAMINERS FOR NURSING

IN RE:

Trudy Smith, RN R 37371

75 Avonwood Road, Apt. A-7

Avon, CT 06001

MEMORANDUM OF DECISION

INTRODUCTION

The Board of Examiners for Nursing, (hereafter the "Board"), was presented by the Department of Health Services with a Statement of Charges dated June 5, 1985.

The Statement of Charges alleged violations of certain provisions of Chapter 378, Connecticut General Statutes. The Board issued a Notice of Hearing which provided that the hearing would take place on July 17, 1985 in the State Armory at 360 Broad Street, Hartford, Connecticut.

Each member of the Board involved in this decision attests that he/she has reviewed the record, and that this decision is based entirely on the record.

FACTS

Based on the testimony given and the exhibits offered into evidence at the above hearing, the Board made the following findings of fact:

1. Trudy Smith, respondent, was at all pertinent times licensed to practice nursing as a registered nurse in Connecticut, with registration number R 37371.

2. Pursuant to Connecticut General Statutes, Section 4-182(c), the respondent was provided a full opportunity prior to the institution of agency action to show compliance with all the terms for the retention of her license.

3. The Board finds that the respondent, a) from approximately April 1984 until approximately January 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, diverted an unspecified amount of Demerol ampoules for her own use; b) substituted Vistaril to patients for whom Demerol had been ordered; c) diverted an unspecified amount of Morphine ampoules for her own use; d) substituted Vistaril to patients for whom Morphine had been ordered; e) subsequent to July of 1984 until approximately January 1985, while employed as a registered nurse at St. Frances Hospital in Hartford, CT, diverted an unspecified amount of Benadryl ampoules for her own use; f) from approximately January 25, 1985 until approximately January 31, 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, substituted Vistaril to patients Ruth White and John McNulty for whom Demerol had been ordered, and retained the Demerol for her own use. She charted on the drug disposition sheets that Demerol had been given to the patients.

4. The activities referenced in paragraph three (3) were uncovered by Eleanor Nichols, Drug Control Agent, Department of Consumer Protection.

DISCUSSION

5. The First and Second Counts allege that the respondent violated provisions of Section 20-99(b)(5)(7) from approximately April 1984 until approximately January 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, by diverting an unspecified amount of Demerol ampoules for her own use and substituting Vistaril to patients for whom Demerol had been ordered. Thus, patients were denied the effects of the medication ordered for them. The respondent admitted to the charges through a letter to the Chairman of the Board. She was not present nor represented by attorney at the hearing. At the time of the hearing the respondent was hospitalized. She has completed a drug rehabilitation program. There is no evidence that she medicated herself while on duty with the Demerol.

In pertinent part, Section 20-99(b) forbids abuse or excessive use of drugs, including alcohol, narcotics or chemicals and willful falsification of entries in any hospital, patient or other record pertaining to drugs, the results of which are detrimental to the health of a patient.

The Board determined that from approximately April 1984 until approximately January 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, Trudy Smith diverted an unspecified amount of Demerol ampoules for her own use and substituted Vistaril to patients for whom Demerol had been ordered.

Standards of nursing practice prohibit the abuse of narcotics by nurses through diversion of drugs and mandate that patients be administered only those drugs which have been ordered by the physician. Standards of nursing practice further require nurses to keep accurate records of medications administered.

Based on the foregoing, the Board concludes that the respondent has violated Section 20-99(b) as specified in the First and Second Counts.

6. The Third and Fourth Counts allege that the respondent violated provisions of Section 20-99(b)(5)(7) from approximately April 1984 until approximately January 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, by diverting an unspecified amount of Morphine ampoules for her own use and substituting Vistaril to patients for whom Morphine had been ordered. Thus, patients were denied the effects of the medication ordered for them. The respondent admitted to the charges through a letter to the Chairman of the Board. She was not present nor represented by attorney at the hearing. At the time of the hearing the respondent was hospitalized. She has completed a drug rehabilitation program. There is no evidence that she medicated herself while on duty with the Morphine.

In pertinent part, Section 20-99(b) forbids abuse or excessive use of drugs, including alcohol, narcotics or chemicals and willful falsification of entries in any hospital, patient or other record pertaining to drugs, the results of which are detrimental to the health of a patient.

The Board determined that from approximately April 1984 until approximately January 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, Trudy Smith diverted an unspecified amount of Morphine ampoules for her own use and substituted Vistaril to patients for whom Morphine had been ordered.

Standards of nursing practice prohibit the abuse of narcotics by nurses through diversion of drugs and mandate that patients be administered only those drugs which have been ordered by the physician. Standards of nursing practice further require nurses to keep accurate records of medications administered.

Based on the foregoing, the Board concludes that the respondent has violated Section 20-99(b) as specified in the Third and Fourth Counts.

7. The Fifth Count alleges that the respondent violated provisions of Section 20-99(b)(5) subsequent to July of 1984 until approximately January 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, by diverting an unspecified amount of Benadryl ampoules for her own use. A video surveillance system documented two occasions in January, 1985 of the respondent removing Benadryl ampoules from the medication room when there was no physician order. The respondent admitted to the charges through a letter to the Chairman of the Board. She was not present nor represented by an attorney at the hearing. At the time of the hearing the respondent was hospitalized. She has completed a drug rehabilitation program. There was no evidence that she medicated herself while on duty with Benadryl.

In pertinent part, Section 20-99(b) forbids abuse or excessive use of drugs, including alcohol, narcotics or chemicals.

The Board determined that subsequent to July of 1984 until approximately January 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, Trudy Smith diverted an unspecified amount of Benadryl ampoules for her own use.

Standards of nursing practice prohibit the abuse of drugs by nurses through the diversion of medications from agency supplies.

Based on the foregoing, the Board concludes that the respondent has violated Section 20-99(b) as specified in the Fifth Count.

8. The Sixth and Seventh Counts allege that the respondent violated provisions of Section 20-99(b)(5)(7) from approximately January 25, 1985 until approximately January 31, 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, by substituting Vistaril to patients Ruth White and John McNulty for whom Demerol had been ordered, and retained the Demerol for her own use. The drug disposition sheets presented as an exhibit demonstrate the record was falsified by the respondent. The respondent admitted to the charges through a letter to the Chairman of the Board. She was not present nor represented by an attorney at the hearing. At the time of the hearing the respondent was hospitalized. She has completed a drug rehabilitation program. There was no evidence that she medicated herself while on duty with Demerol.

In pertinent part, Section 20-99(b) forbids abuse or excessive use of drugs, including alcohol, narcotics or chemicals and willful falsification of entries in any hospital, patient or other record pertaining to drugs, the results of which are detrimental to the health of a patient.

The Board determined that from approximately January 25, 1985 until approximately January 31, 1985, while employed as a registered nurse at St. Francis Hospital in Hartford, CT, Trudy Smith substituted Vistaril to patients Ruth White and John McNulty for whom Demerol had been ordered, and retained the Demerol for her own use.

Standards of nursing practice prohibit the abuse of narcotics by nurses through the substitution of unordered medications to patients, for the purpose of retaining narcotics for self use. Standards of nursing practice further require nurses to keep accurate records of medications administered.

Based on the foregoing, the Board concludes that the respondent has violated Section 20-99(b) as specified in the Sixth and Seventh Counts.

ORDER

9. It is the unanimous decision of those members of the Board of Examiners for Nursing who were present and voting that:

- a. The license of the respondent be suspended for a minimum period of two years determined as follows:
  - i. as to the First Count, one year;

- ii. as to the Second Count, one year;
- iii. as to the Third Count, one year;
- iv. as to the Fourth Count, one year;
- v. as to the Fifth Count, one year;
- vi. as to the Sixth Count, one year;
- vii. as to the Seventh Count, one year;
- viii. The one year suspensions for the First, Third and Fifth Counts are to run concurrently. The one year suspensions for the Second, Fourth, Sixth, and Seven Counts are to run concurrently. The one year suspension for the First, Third, and Fifth Counts is to run consecutively to the one year suspension for the Second, Fourth, Sixth and Seven Counts for a total effective minimum suspension of two years.

b. The said period of suspension shall commence on November 15, 1985.

c. At the end of the two year suspension specified in (a) the respondent may apply for reinstatement of her license at which time she is to provide documentation of her drug free status during the period of her suspension. Such report shall be current to within one month of the request for reinstatement.



10. The respondent, Trudy Smith, is hereby directed to surrender her license and current registration to the Board of Examiners for Nursing at 150 Washington Street, Hartford, Connecticut, 06106 on or before November 15, 1985.
11. The Board of Examiners for Nursing herewith advises the Department of Health Services of the State of Connecticut of this decision.

Dated at West Hartford, Connecticut, this 4<sup>th</sup> day of November, 1985.

BOARD OF EXAMINERS FOR NURSING

BY: Bette Jane M. Murphy, R.N.

Bette Jane M. Murphy, R.N., Chairman

**RECEIVED**  
DEPARTMENT OF HEALTH SERVICES

NOV - 5 1985

HEARINGS & INVESTIGATIONS  
DIVISION OF MEDICAL  
QUALITY ASSURANCE